



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10**

1200 Sixth Avenue, Suite 900  
Seattle, WA 98101-3140

OFFICE OF  
WATER AND WATERSHEDS

**JUN 26 2013**

Mr. Steven Sarno  
456 Montgomery Street, #1800  
San Francisco, California 94104

Re: Freedom of Information Act Request EPA-R10-2013- 006145

Dear Mr. Sarno:

This is in response to your Freedom of Information Act (FOIA) request received by Region 10 U.S. Environmental Protection Agency on May 3, 2013, regarding all records from 2004 to 2012 concerning the impaired waterbodies lists, prepared or modified by Washington State Department of Ecology (Ecology) pursuant to Section 303(d) of the Clean Water Act. Jill Gable corresponded with you May 29, 2013, via phone and email, with the result that you further narrowed the scope of your request to include any documents or information EPA Region 10 has "showing whether the Lower Chehalis (WRIA 22) was listed as an impaired for fecal coliform between 2004 and 2010, and whether Ecology submitted any documents to EPA identifying their Appendix 4 or Appendix 5 lists during the same period."

I wish to advise you Region 10 Office of Water and Watersheds and EPA Headquarters have no records responsive to your request. As you discussed with Jill Gable, Laurie Mann and Misha Vakoc of my staff, the only available documents were those which you had already located as publically available information on Ecology's website. No additional documents were found. This is not an adverse determination. However, under FOIA you have the right to appeal the following determinations:

- Records denied in whole or in part;
- No responsive records have been located;
- Denied request for fee waiver in whole or in part;
- Denied request for expedited treatment;
- Request fee category assignment;
- Agency has fully responded but because of the voluminous nature of the request, the requester may challenge the reasonableness of the search for records

You may submit your appeal through your FOIAonline Account. If you prefer to submit a written appeal by postal service, send it to the National Freedom of Information Officer, U.S. EPA, FOIA and Privacy Branch at 1200 Pennsylvania Avenue, N.W. (2822T), Washington, DC 20460 (U.S. Postal Service Only), FAX: (202) 566-2147, E-mail: [hq.foia@epa.gov](mailto:hq.foia@epa.gov). Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue, NW. If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, N.W., Room 6416J, Washington, DC 20004. Your appeal must be submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 calendar day limit. The appeal letter should include the FOIA request number listed above.

For quickest possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal."

If you have questions regarding our response to this request, please contact Audrey Washington of my staff at (2060 553-0523 or [washington.audrey@epa.gov](mailto:washington.audrey@epa.gov).

This concludes the EPA Region 10 response to FOIA request number EPA-R10-2013-006145.

Sincerely,



Daniel D. Opalski, Director  
Office of Water and Watersheds